

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WYAT CAMERON MONTCLAIR,

Defendant.

CR-15-21-GF-BMM

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on June 18, 2020. (Doc. 59.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on June 18, 2020. (Doc. 56.) The United States accused Montclair of violating his conditions of supervised release 1) by failing to report for substance abuse treatment; 2) by failing to report for substance abuse testing; and 3) by failing to report to her probation officer as directed. (Doc. 53). At the revocation hearing, Montclair admitted that he had violated the condition of her supervised release: 1) by failing to report for substance abuse treatment; 2) by failing to report for substance abuse testing; and 3) by failing to report to her probation officer as directed. (Doc. 56.) Judge Johnston found that Montclair's violations proved to be serious and warranted revocation, and recommended that Montclair receive a custodial sentence of 6 months, with 22 months of supervised release to follow. (Doc. 59.) Montclair was advised of the 14 day objection period and his right to allocute before the undersigned. Montclair waived those rights. (Doc. 56.)

The violations prove serious and warrant revocation of Montclair's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 59) are **ADOPTED IN FULL**.

IT IS FURTHER ORDERED that Defendant Wyatt Cameron Montclair be incarcerated for a term of 6 months of custody, with 22 months of supervised

release to follow. Montclair should serve his term of custody at the Bureau of Prisons' facility in Sandstone, Minnesota. Montclair should NOT serve his term of custody at Bureau of Prisons' facility in Florence, Colorado. The sentence imposed in this case should run concurrent with the sentence imposed in cause number CR-14-84-GF-BMM.

DATED this 22nd day of June, 2020.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United States District Court

